

Regulations and other Acts

M.O., 2022

Order 2022-021 of the Minister of Forests, Wildlife and Parks dated 20 September 2022

Sustainable Forest Development Act
(chapter A-18.1)

Regulation to amend the Regulation respecting
forestry permits

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING paragraph 3 of section 87 of the Sustainable Forest Development Act (chapter A-18.1), which provides that the Minister may, according to the categories of forestry permit, determine standards for tapping maple trees or otherwise managing a sugar bush;

CONSIDERING paragraph 4 of section 87 of the Act, which provides that the Minister may, according to the categories of forestry permit, set the dues to be paid by a given permit holder and the terms of payment;

CONSIDERING the making of the Regulation respecting forestry permits (chapter A-18.1, r. 8.1);

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 20 July 2022, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation to amend the Regulation respecting forestry permits with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting forestry permits, attached to this Order, is hereby made.

Québec, 20 September 2022

PIERRE DUFOUR
Minister of Forests, Wildlife and Parks,

Regulation to amend the Regulation respecting forestry permits

Sustainable Forest Development Act
(chapter A-18.1, s. 87, pars. 3 and 4)

1. The Regulation respecting forestry permits (chapter A-18.1, r. 8.1) is amended in the second paragraph of section 17

(1) by replacing “equation” by “formula”;

(2) by adding “, except for the year 2023 for which the rates are adjusted using the formula in Schedule 3” at the end.

2. Section 24 is amended by replacing “once a year only, between 1 January and 30 April” in paragraph 1 by “only once per tapping period, which begins on 15 December of each year and ends on 30 April of the following year”.

3. Section 58 is replaced by the following:

“**58.** Until 14 December 2023, section 24 must be read as follows:

“**24.** Maple trees must be tapped in accordance with the following standards:

(1) trees may be tapped only once per tapping period, which begins on 15 December of each year and ends on 30 April of the following year;

(2) only maple trees at least 19.1 cm in diameter at 1.30 m above the highest ground level may be tapped;

(3) the maximum number of tapholes in the same maple tree is determined according to the diameter of the tree, in accordance with the following table:

Diameter of maple tree at 1.30 m above the highest ground level	Maximum number of tapholes
Between 19.1 cm and 39 cm	1
Between 39.1 cm and 59 cm	2
Between 59.1 cm and 79 cm	3
79.1 cm and more	4

(4) where 2 or more tapholes are drilled in a maple tree, they must be positioned evenly around the trunk;

(5) the taphole must be drilled using a bit not more than 11 mm in diameter so that the tree is not damaged;

(6) the taphole must not be more than 6 cm deep, including bark thickness;

(7) the tree bark must not be removed or damaged;

(8) only a product registered under the Pest Control Products Act (S.C. 2002, c. 28) may be inserted into a taphole;

(9) all spouts must be removed each year at the latest on 1 June, with care taken not to tear the bark from the tree;

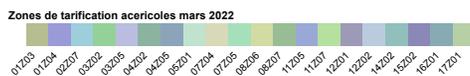
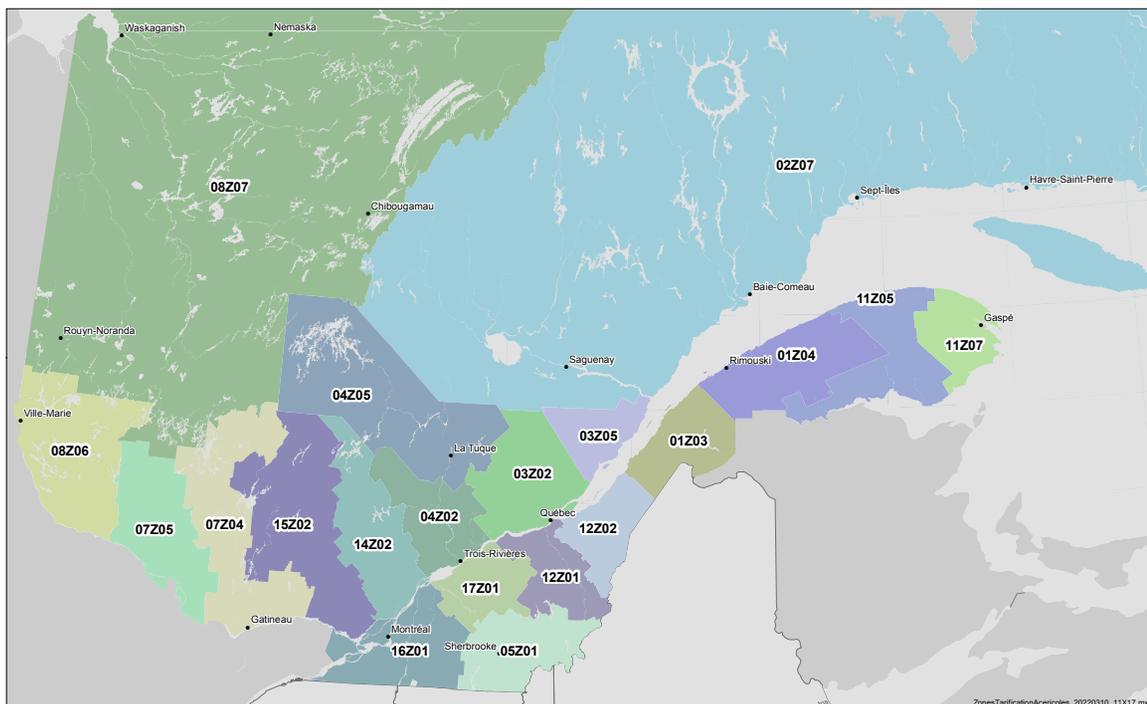
(10) tubing and spouts must be installed, replaced and maintained without damaging the trees.”

4. Schedules 1 and 2 are replaced by the following:

“**SCHEDULE 1**
(s. 17)

APPLICABLE UNIT RATES ACCORDING TO ZONES

Zones de tarification acéricoles



Métadonnées
Projection cartographique : Conique de Lambert avec deux parallèles d'échelle conservée (46° et 60°)

0 100 km

Bureau de mise
en marché des bois
Québec

Zone	Administrative region	Unit rate (\$ per hectare)
01Z03	Bas-Saint-Laurent	\$103
01Z04	Bas-Saint-Laurent	\$93
02Z07	Saguenay – Côte-Nord	\$65
03Z02	Capitale-Nationale	\$108
03Z05	Capitale-Nationale	\$76
04Z02	Mauricie	\$97
04Z05	Mauricie	\$68
05Z01	Estrie	\$153
07Z04	Outaouais	\$101
07Z05	Outaouais	\$78
08Z06	Abitibi-Témiscamingue	\$78
08Z07	Abitibi-Témiscamingue	\$67
11Z05	Gaspésie – Îles-de-la-Madeleine	\$72
11Z07	Gaspésie – Îles-de-la-Madeleine	\$62
12Z01	Chaudière-Appalaches	\$137
12Z02	Chaudière-Appalaches	\$105
14Z02	Lanaudière	\$115
15Z02	Laurentides	\$112
16Z01	Montérégie	\$177
17Z01	Centre-du-Québec	\$161

“SCHEDULE 2

(s. 17)

ADJUSTMENT OF UNIT RATES

The unit rates set in Schedule 1 are adjusted according to the following formula:

$$A \times ((B/5) / C), \text{ where}$$

(1) the letter “A” represents the unit rate for the corresponding zone set in Schedule 1;

(2) the letter “B” represents the total annual income per taphole for the corresponding zone obtained for each of the 5 years before the year preceding the year of the adjustment, calculated using the following formula:

$$D \times (E - (F \times (G/H) - I)) \times (1 - (J / K)) \times (L / M), \text{ where}$$

(a) the letter “D” represents the average yield (lbs of syrup / taphole) of the year concerned for the administrative region in which the corresponding zone is situated from the economic record of the Producteurs et productrices acéricoles du Québec (PPAQ);

(b) the letter “E” represents the weighted average price (\$ / lb of syrup) for the year concerned determined by the maple syrup marketing agreement entered into between the PPAQ and the buyers of a product covered by the Plan conjoint des producteurs acéricoles du Québec;

(c) the letter “F” represents the operating expenses according to the 2019 technico-economic study on maple syrup production in Québec, established at \$2.82 per pound of syrup;

(d) the letter “G” represents the Consumer Price Index for Québec established by Statistics Canada for the year concerned;

(e) the letter “H” represents the Consumer Price Index for Québec for the year 2019 established by Statistics Canada at 131.7;

(f) the letter “I” represents the operating costs according to the 2003 study on the cost of maple syrup production in Québec, established at \$2.68 per pound of syrup;

(g) the letter “J” represents the net variation of the inventory of the year concerned from the economic record of the PPAQ, in pounds of syrup;

(h) the letter “K” represents the harvest volume of the year concerned from the economic record of the PPAQ, in pounds of syrup;

(i) the letter “L” represents the average number of tapholes per hectare of the year concerned for the administrative region in which the corresponding zone is situated;

(j) the letter “M” represents the average number of tapholes per hectare of the year 2022 for the administrative region in which the corresponding zone is situated;

(3) the letter “C” represents the average income per taphole for the corresponding zone for the 2022 adjustment year, that is:

Zone	Administrative region	Average income per taphole
01Z03	Bas-Saint-Laurent	8.1286
01Z04	Bas-Saint-Laurent	8.1286
02Z07	Saguenay – Côte-Nord	8.5024

Zone	Administrative region	Average income per taphole
03Z02	Capitale-Nationale	8.5024
03Z05	Capitale-Nationale	8.5024
04Z02	Mauricie	7.6384
04Z05	Mauricie	7.6384
05Z01	Estrie	9.2503
07Z04	Outaouais	8.7914
07Z05	Outaouais	8.7914
08Z06	Abitibi-Témiscamingue	8.7914
08Z07	Abitibi-Témiscamingue	8.7914
11Z05	Gaspésie – Îles-de-la-Madeleine	8.1286
11Z07	Gaspésie – Îles-de-la-Madeleine	8.1286
12Z01	Chaudière-Appalaches	8.2691
12Z02	Chaudière-Appalaches	8.2691
14Z02	Lanaudière	9.0337
15Z02	Laurentides	8.7914
16Z01	Montérégie	10.7336
17Z01	Centre-du-Québec	9.7336

The results are rounded off to the nearest dollar.

“SCHEDULE 3

(s. 17)

ADJUSTMENT OF UNIT RATES ON 1 JANUARY 2023

On 1 January 2023, the unit rates set in Schedule 1 are adjusted using the following formula:

$A \times (((B/5) + C - N) / C)$, where

(1) the letter “A” represents the unit rate for the corresponding zone set in Schedule 1;

(2) the letter “B” represents the total annual income per taphole for the corresponding zone obtained for each of the years 2017, 2018, 2019, 2020 and 2021, calculated using the following formula:

$D \times (E - (F \times (G/H) - I)) \times (1 - (J / K)) \times (L / M)$, where

(a) the letter “D” represents the average yield (lbs of syrup / taphole) of the year concerned for the administrative region in which the corresponding zone is situated from the economic record of the Producteurs et productrices acéricoles du Québec (PPAQ);

(b) the letter “E” represents the weighted average price (\$ / lb of syrup) for the year concerned determined by the maple syrup marketing agreement entered into between the PPAQ and the buyers of a product covered by the Plan conjoint des producteurs acéricoles du Québec;

(c) the letter “F” represents the operating expenses according to the 2019 technico-economic study on maple syrup production in Québec, established at \$2.82 per pound of syrup;

(d) the letter “G” represents the Consumer Price Index for Québec established by Statistics Canada for the year concerned;

(e) the letter “H” represents the Consumer Price Index for Québec for the year 2019 established by Statistics Canada at 131.7;

(f) the letter “I” represents the operating costs according to the 2003 study on the cost of maple syrup production in Québec, established at \$2.68 per pound of syrup;

(g) the letter “J” represents the net variation of the inventory of the year concerned from the economic record of the PPAQ, in pounds of syrup;

(h) the letter “K” represents the harvest volume of the year concerned from the economic record of the PPAQ, in pounds of syrup;

(i) the letter “L” represents the average number of tapholes per hectare of the year concerned for the administrative region in which the corresponding zone is situated;

(j) the letter “M” represents the average number of tapholes per hectare of the year 2022 for the administrative region in which the corresponding zone is situated;

(3) the letter “C” represents the average income per taphole for the corresponding zone for the 2022 adjustment year, that is:

Zone	Administrative region	Average income per taphole
01Z03	Bas-Saint-Laurent	8.1286
01Z04	Bas-Saint-Laurent	8.1286
02Z07	Saguenay – Côte-Nord	8.5024
03Z02	Capitale-Nationale	8.5024
03Z05	Capitale-Nationale	8.5024
04Z02	Mauricie	7.6384
04Z05	Mauricie	7.6384
05Z01	Estrie	9.2503

Zone	Administrative region	Average income per taphole
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08Z07	Abitibi-Témiscamingue	8.7914
11Z05	Gaspésie – Îles-de-la-Madeleine	8.1286
11Z07	Gaspésie – Îles-de-la-Madeleine	8.1286
12Z01	Chaudière-Appalaches	8.2691
12Z02	Chaudière-Appalaches	8.2691
14Z02	Lanaudière	9.0337
15Z02	Laurentides	8.7914
16Z01	Montréal	10.7336
17Z01	Centre-du-Québec	9.7336

(4) the letter “N” represents the total annual income per taphole for the corresponding zone obtained for each of the years 2016, 2017, 2018, 2019 and 2020, calculated using the following formula:

$D \times E \times (1 - (J / K))$, where

(a) the letter “D” represents the average yield (lbs of syrup / taphole) of the year concerned for the administrative region in which the corresponding zone is situated from the economic record of the PPAQ;

(b) the letter “E” represents the weighted average price (\$ / lb of syrup) for the year concerned determined by the maple syrup marketing agreement entered into between the PPAQ and the buyers of a product covered by the Plan conjoint des producteurs acéricoles du Québec;

(c) the letter “J” represents the net variation of the inventory of the year concerned from the economic record of the PPAQ, in pounds of syrup;

(d) the letter “K” represents the harvest volume of the year concerned from the economic record of the PPAQ, in pounds of syrup.

The results are rounded to the nearest dollar.”.

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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